



US Army Corps
of Engineers

Construction Bulletin

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CEMP-C

Subject: Removal Actions Performed Under the EPA Superfund Program

Applicability: GUIDANCE

1. **REFERENCE:** 40 Code of Federal Regulations (CFR) Part 300, Subpart E - Hazardous Substance Response.
2. **PURPOSE.** The purpose of this Construction Bulletin (CB) is to familiarize construction personnel with the term "Removal Actions", their appropriate uses, and how they differ from "Remedial Actions" with which most of you are familiar. The intent is to become more responsive and accommodating to EPA's needs.
3. **BACKGROUND.** The EPA workload/budget for removal actions has been on the rise. This in turn, has been reflected in a growing number of removal actions assigned to USACE for management under the EPA Superfund program.
4. Removal actions are normally undertaken in an expeditious manner in the event of a release or threat of release of hazardous substances into the environment. Many removal actions are emergencies that EPA responds to using special emergency response contracts and trained On-scene Coordinators (OSC). The administrative and technical procedures for removals is streamlined to permit prompt response. EPA has expanded the application of removals to site situations that are not considered emergencies, but are prompt (often time critical) actions that are needed to protect public health and the environment. Much of the recent budget's increases for removals has been for non-emergency projects in order to streamline and speed up Superfund cleanup actions. Removal actions are not limited to the physical removal of the hazardous substance but include actions that are necessary to monitor, assess, and evaluate the release or threat of release; the disposal of removed material; and other actions that are necessary to prevent, minimize, or mitigate damage to the public health or welfare or to the environment. The major difference between removal and remedial actions is that the latter involve actions that achieve final or permanent remedy. The Superfund law limits removals to one year and a funding ceiling of \$2 million unless HQEPA provides an exemption. The need to go to HQEPA for more time or funds, makes the OSCs very sensitive to cost and schedule.

5. The following are some factors which are considered by EPA in determining the appropriateness of a removal action: actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances; actual or potential contamination of drinking water supplies; hazardous substances in drums, barrels, tanks, etc. that may pose a threat of release; high levels of hazardous substances in soils largely at or near the surface, that may migrate; weather conditions that may cause hazardous substances to migrate or be released; and threat of fire or explosion.

6. The following are examples of work that may be performed under removal actions: security fencing and warning signs; drainage controls, such as run-off or run-on diversion to reduce migration of hazardous substances; stabilization of berms, dikes, or impoundments or drainage or closing of lagoons; capping of contaminated soils or sludges to reduce migration of hazardous substances into soil, ground or surface water, or air; excavation, consolidation or removal of highly contaminated soils to reduce the spread of the contamination; and containment, treatment, disposal, or incineration of hazardous materials.

7. Due to the nature and urgency of the removal actions, they normally require minimum design work prior to the start of the physical work. For this reason, most removal actions are performed using cost reimbursement (time and materials), pre-placed type contracts. This is due to the incomplete characterization of the site and the need to start the removal action as promptly as possible. Once a removal action is determined to be appropriate for any particular situation, actions begin as soon as possible to abate, prevent, minimize, stabilize, mitigate, or eliminate the threat to public health or welfare or the environment. The OSCs have very close control of EPA contractor activities when managing removal actions.

8. As with any new program and when dealing with a new customer, open communication and partnering with the customer are critical. You need to develop an understanding for customer needs, preferences, and expectations and to demonstrate the technical capabilities and expertise that are necessary to successfully accomplish the work. You cannot effectively manage an HTRW/cost reimbursement type contract (particularly a removal action) without prior expertise in those two areas (HTRW and cost reimbursement). On a cost reimbursement contract, the QA representative must have an understanding and knowledge of efficient ways to accomplish the work and must be able to direct the contractor's activities, when necessary. One important factor that will contribute to the success of a removal action is advance planning for upcoming activities on the site and resolving any issues before they affect the progress of the work. If you lack the necessary expertise to manage the new assignments, you should not hesitate to request assistance from within your district/division or from other Corps divisions/districts/offices as appropriate.

9. For your information, HQUSACE Construction Division has initiated the development of a 2-3 day HTRW Cost Reimbursement Workshop under the PROSPECT Program with the assistance of USACE's best experts on the subject. The workshop, which will be ready in Jan 96, will focus on examples, exercises, and samples with the intent of

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providing hands-on experience that is needed to manage HTRW cost reimbursement type contracts/delivery orders. A unique feature of the workshop is that it will be presented on site to USACE, customer and contractor personnel and can be scheduled with minimal advance notice. The cost of offering the on-site workshop will be reasonable avoiding student travel and per diem expenses. If you wish to schedule an on-site workshop, contact Ms. Joy Rodriguez, the workshop manager in the Hunstville Division at (205) 722-5805. In addition, the HQUSACE Construction Division is presently compiling a list of USACE cost reimbursement expertise which will facilitate contact with subject matter experts for technical advice or assistance. The enclosure provides an initial list for your immediate use. Request that you mail other names that you wish to add to this list to HQUSACE, attention CEMP-CP.

10. This Construction Bulletin was coordinated with the following HQUSACE organizations: Environmental Restoration Division (CEMP-RS); Office of the Chief Counsel (CECC-C); and Office of the Principal Assistant for Contracting (CEPR-P).


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LIST OF USACE COST REIMBURSEMENT EXPERIENCE

<u>Name</u>	<u>Area of Experience</u>	<u>Telephone</u>	<u>Office Symbol</u>
1. Robert Rizzieri Resident Engineer	CPAF-Multiple Removal Actions CPFF-Groundwater Extraction & Treatment Plant CPFF-GWTP O&M CPFF-PIU(Landfill Cover)	(410)671-6003	CENAB-COF-ER
2. Ingrid Bon Project Engineer			
3. Mark Deen Project Engineer			
4. Eric Brandt Project Engineer	CPAF-Multiple Removal Actions	(410)671-6003	CENAB-COF-ER
5. Denis duBreuil Area Engineer, ACO	CPAF- RCRA Site Closures CPFF-GW Pump & Treat CPFF-UST Removals	(717)782-3750	CENAB-COF-HA
6. Michael Ogden Resident Eng. COR			
7. Bernard Falk Chief, OEB			
8. Michael Curley CAB Negotiator			CENAB-COF-HNC
9. William Werntges Project Engineer	CPAF-RCRA Site Closures	(717)782-3750	CENAB-COF-HNC
10. James Troese Project Engineer	CPFF-GW Pump & Treat CPFF-UST Removals	(717)782-3750	CENAB-COF-HNC
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12. Joe Shaefer HTRW-District	CPAF-Removal Actions CPFF-Removal Actions Groundwater	(410)962-9587	CENAB-CO-H
13. Ed Cox HTRW-District	CPAF-Removal Actions CPFF-Removal Actions	(410)962-5109	CENAB-CO-H
14. John Hasselmann CAB-District	CPAF-Removal Actions CPFF-Removal Actions	(410)962-4789	CENAB-CO-C
15. Ramon Bonitez HTRW-District	CPFF-GW Pump & Treat	(410)962-2342	CENAB-CO-H

LIST OF USACE COST REIMBURSEMENT EXPERIENCE

<u>Name</u>	<u>Area of Experience</u>	<u>Telephone</u>	<u>Office Symbol</u>
16. James P. Moore Resident Engineer	CPFF-UST Removal CPFF-GW Extraction and Treatment Plant	(717)895-7052	CENAB-COF-HTS
17. Lawrence J. Piazza Project Engineer			
18. Robert A. Zambarano Office Engineer			
19. Bradford C. Funt Project Engineer			
20. Mark Herse	Engr & Contract Admin (HTRW)	(402) 293-2560	CEMRO-CD-FC
21. Steve Schmidt	Area and Resident Mgmt (HTRW)	(402) 293-2510	CEMRO-CD-FC
22. Steve Rasmussen	Resident and Team Mgmt (HTRW)	(402) 293-2511	CEMRO-CD-FC
23. Larry Jackson	Engr & Cont Adm (MIL/HTW)	(605) 341-3169	CEMRO-CD-BH
24. Richard McRae	Resident Mgmt (HTRW)	(303) 286-1910	CEMRO-CD-RM
25. Dave Balding	Quality Assurance (HTRW)	(303) 286-1910	CEMRO-CD-RM
26. John Hetager	Engr & Contr Admin (HTRW)	(719) 574-0441	CEMRO-CD-RM
27. Carol Howard	Voucher Review (HTRW)	(719) 574-0441	CEMRO-CD-RM
28. Jim Olsen	Contract Mgmt (MIL/HTRW)	(402) 221-4247	CEMRO-CD-C
29. Paul Grosskruger	Quality Assurance (HTRW)	(719) 574-0441	CEMRO-CD-RM
30. Steve Morrissey	Contract Mgmt (MIL/HTRW)	(402) 221-4243	CEMRO-CD-CA
31. Doug Engen	Contract Mgmt (HTRW)	(402) 221-4242	CEMRO-CD-CA
32. Jolene Birkett	QA & Contract Mgmt (MIL)	(402) 221-4244	CEMRO-CD-CM
33. Don Robinson	Contracting (MIL/HTRW)	(402) 221-4100	CEMRO-CT
34. Joe Burke	Auditing & Voucher Review	(402) 221-3881	CEMRD-AO-O
35. Rick Hedrick	Contracting	(918) 669-7269	CESWT-CT
36. John Weatherly	Contracting	(918) 669-7281	CESWT-CT
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38. Ramona Wagner	Contract Admin & QA	(918) 669-7505	CESWT-EC-FW